
Division of Cannabis Regulation

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/524-2143 • TDD 866/287-2999 • Fax 217/524-4215

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Illinois Department of Agriculture Policy Regarding Hemp and Hemp Derivatives in Medical and Adult-Use Cannabis Products

1. "Cannabis" means marijuana, hashish, and other substances that are identified as including any parts of the plant *Cannabis sativa* and including derivatives or subspecies, such as indica, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction; however, "cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted from it), fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination. "*Cannabis*" does not include industrial hemp as defined and authorized under the *Industrial Hemp Act*. "Cannabis" also means cannabis flower, concentrate, and cannabis-infused products. (410 ILCS 705/1-10) (emphasis added)
2. "Industrial hemp" means the plant *Cannabis sativa* L. and any part of that plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis that has been cultivated under a license issued under this Act or is otherwise lawfully present in this State, and includes any intermediate or finished product made or derived from industrial hemp." (505 ILCS 89/5)
3. Cannabis business establishments licensed by the Illinois Department of Agriculture for cultivation, growing, processing, manufacturing, and/or infusing of medical and/or adult-use cannabis products pursuant to the Cannabis Regulation and Tax Act and/or the Compassionate Use of Medicinal Cannabis Program Act (hereafter "Cannabis Cultivation Center") may use industrial hemp as an ingredient in cannabis infused products offered for sale at licensed dispensaries in Illinois. Hemp flower may not be sold to dispensaries.
4. All hemp obtained through this policy must be used in extracted form and only in infused cannabis products.
5. Industrial hemp may be procured from third party, licensed growers and/or processors from within the State of Illinois or any other State with a regulated industrial hemp program.
6. All hemp and hemp derivatives must be obtained from a licensed or registered hemp grower or processor, regardless of the grower's or processor's home state. Cannabis producers must provide a copy of the hemp grower's or processor's state-issued license upon demand of the Illinois Department of Agriculture or the Illinois State Police.
7. Any Licensed Cannabis Cultivation Center or licensed Craft Grower that that intends to use hemp or hemp derivatives must apply for, and be issued, a Hemp Processor's Registration through the Department of Agriculture. Any licensed Infuser that intends to use hemp derivatives must apply for, and be issued, a Hemp Processor's Registration through the Department of Agriculture. Applications for the Registration can be found here: https://agrlicensing.illinois.gov/Industrial_Hemp/
8. Industrial hemp flower and biomass may be purchased and extracted by licensed cannabis cultivation centers or licensed craft growers.

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9. Licensed Cannabis Cultivation Centers and licensed Craft Growers may procure and/or process industrial hemp in the form of distillate or isolate. Licensed Infusers may procure industrial hemp in the form of distillate or isolate. All processed hemp derivatives must be accompanied by a certificate of analysis showing potency levels for Delta-9 THC, THCa, CBD, and CBDa.

10. The delta-9 tetrahydrocannabinol contained in the hemp and hemp derivatives may not be concentrated above the allowable 0.3% threshold.

11. Hemp and hemp derivatives may not be used to concentrate or to synthesize intoxicating compounds including but not limited to delta-9 tetrahydrocannabinol, delta-8 tetrahydrocannabinol or THC-O.

12. A representative sample of all final products containing industrial hemp or hemp derivatives must undergo testing pursuant to the Compassionate Use of Medical Cannabis Act and the Cannabis Regulation and Tax Act and the applicable administrative rules.

13. This policy is in effect until and through September 31, 2022 and is subject to change at any time.

Please send any questions to agr.hemp@illinois.gov or call Division Manager David Lakeman at 217-524-4190.



David Lakeman – Division Manager